

130-A-5B

UNSPECIFIED INDUSTRIAL USES

FAIRFIELD DISTRICT

C-62C-96<sup>®</sup><sub>A</sub>



HENRICO COUNTY PLANNING OFFICE



COUNTY OF HENRICO

June 17, 1997

Virgil R. Hazelett, P.E.  
County Manager

Re: Conditional Rezoning Case C-62C-96

Atack Properties, Inc.  
4435 Waterfront Dr.  
Glen Allen, VA 23060

Gentlemen:

The Board of Supervisors at its meeting on June 11, 1997, granted your request to conditionally rezone property from A-1 Agricultural District to M-1C Light Industrial District (Conditional), Parcel 130-A-5B, described as follows:

Beginning at a point on the northern line of Creighton Road, 300' +/- east of the eastern line of Meadowview Lane; thence from said point of beginning extending N. 28° 54' 45" W., 276.61'; thence S. 63° 47' 15" W., 150.20'; thence N. 28° 54' 45" W., 291.10'; thence N. 14° 17' 45" W., 533.84'; thence N. 79° 46' 28" E., 150.00'; thence S. 13° 52' 32" E., 169.93'; thence N. 79° 46' 28" E., 98.62'; thence S. 06° 13' 32" E., 291.12'; thence N. 79° 46' 28" E., 150.00'; thence N. 06° 13' 32" W., 461.12'; thence N. 00° 34' 51" E., 949.46'; thence N. 80° 45' 19" E., 1,364.65'; thence S. 23° 08' 40" W., 686.40'; thence S. 33° 17' 00" W., 463.00'; thence S. 46° 29' 20" E., 186.65'; thence S. 70° 21' 30" W., 466.06'; thence N. 26° 45' 50" W., 89.04'; thence S. 63° 14' 10" W., 20.00'; thence S. 26° 45' 50" E., 713.45'; thence S. 64° 14' 08" W., 149.99'; thence N. 26° 45' 50" W., 277.26'; thence S. 64° 22' 10" W., 150.00'; thence S. 26° 45' 50" E., 277.61'; thence S. 64° 14' 08" W., 439.52' to the point of beginning; all as shown on a plat of survey prepared by Draper Aden Associates, titled "Compiled Plat Showing 42.16 +/- acres of land lying to the north of Creighton Road", and dated 6/5/96.

The Board of Supervisors accepted the following proffered conditions which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Uses.** The uses of the Property shall be the uses permitted and as regulated by the M-1 District. Retail Commercial uses first permitted in B-1, B-2 and B-3 Districts are excluded unless otherwise permitted in an Office/Service District. Communication towers above 100' in height shall not be permitted. All permitted industrial uses shall be conducted within an enclosed building which may be an office building or a separate freestanding building used for industrial purposes. Outside storage shall not be permitted.
2. **Buffers.** A minimum 50-foot wide natural or landscaped buffer area or berms, or a combination thereof, will be provided and maintained around the

entire perimeter of the Property with the exception of roads, utility easements that may pass through the buffer in a generally perpendicular manner and such other uses as may be permitted by the Planning Commission at the time of Plan of Development Review. An additional 50 foot building setback requirement from the aforesaid buffer or a four-foot landscaped berm shall be provided adjacent to any property which is zoned or used for residential purposes for so long as it is zoned or used for residential purposes. Along the southern property line adjoining Creighton Road, the building setback shall be as follows:

- a. for any building one story in height, the building setback from the aforesaid buffer shall be a minimum of 50' (i.e., a total of 100' from the Creighton Road right-of-way line);
- b. for any building which is more than one story in height and up to two stories in height, the building setback from the aforesaid buffer shall be a minimum of 75' (i.e., a total of 125' from the Creighton Road right-of-way line); or
- c. for any building which is more than two stories in height, the building setback from the aforesaid buffer shall be a minimum of 100' (i.e. a total of 150' from the Creighton Road right-of-way line).

Such setbacks are designed to reduce the visual impact along Creighton Road and the planned residential subdivision and to promote more open space within. Where adjoining properties are zoned or rezoned to industrial use, the buffer can be reduced or eliminated as determined by the Planning Commission at the time of Plan of Development Review.

3. Building Materials. Any buildings constructed on the Property will be designed and constructed of materials acceptable to the Planning Commission at the time of Plan of Development approval. Exposed exterior wall surfaces of buildings shall be similar in architectural treatment and be constructed of split face block, tilt-up concrete, brick, metal wall panels with a 20 year finish or an equivalent material. For any building within 200' of Creighton Road, the wall facing Creighton Road and the first 200' of walls adjoining same must be brick or an architectural masonry unit acceptable to the Planning Commission at the time of Plan of Development Review.
4. Signage. Signs will be limited to one monument type sign (no pole signs) on Creighton Road, approved signs located on buildings within the site, and directional signs. The base of the monument type signs will be landscaped.
5. Vegetation. To the extent practical, existing trees on the site will be retained with the exception of those necessary for roadways, building construction and footprints, drainage, stormwater retention, parking and storage areas, signage and utility easements. Existing vegetation and

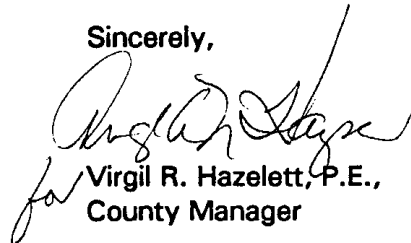
underbrush may, and fallen, diseased or dead plant growth shall, be removed from the buffer area and, if so removed, additional plantings shall be added.

6. Traffic. No more than two points of vehicular access will be utilized directly to and from Creighton Road.
7. Parking Lot Lighting. Parking lot lighting fixtures shall not exceed twenty (20) feet in height as measured from the grade of the base of the lighting standard unless otherwise requested and specifically permitted, or if required by the Planning Commission. Parking lot lighting shall be produced from concealed sources of light (i.e., "shoe-box" type or adjustable fixtures with positive cut-off angles). Lighting levels will be reduced to a security level after the close of business operations.
8. Equipment/Other Screenings. All heating and air conditioning equipment, trash receptacles, satellite dishes, electric generators and similar equipment shall be screened from public view at ground level in a manner approved by the Planning Commission at the time of Plan of Development Review.
9. Hours of Shipping and Receiving. All shipping and receiving operations shall cease by 10:00 p.m. daily and remain closed until 5:00 a.m. the following morning.
10. Loading Areas. All tractor and trailer parking and/or loading areas shall be screened from view from Creighton Road and all adjoining property zoned or used for residential purposes.
11. Loudspeakers. The use of loudspeakers or other public address systems shall not be permitted outside any building.
12. Layout Plan. The Property shall be developed in substantial conformance with the Conceptual Master Plan prepared by The Clower Group, dated September 4, 1996, revised October 22, 1996 and November 5, 1996, a copy of which is attached hereto as Exhibit "A" (see case file), except that the first two buildings north of Creighton Road shall be flipped left to right in order that loading facilities shall face the interior of the Property or to the east rather than to the west; subject, however, to such traffic, engineering and other changes as may be requested by the County or Owner and approved by the Planning Commission at the time of Plan of Development Review. This provision does not prohibit future modifications in the development of the Property, but such future modifications shall be consistent with other provisions of these proffers and the County Code.
13. Underground Utilities Lines. Except for junction boxes, meters and existing overhead utility lines and wetlands, if any, all utility lines shall be underground.

14. Public Utilities. The public water and waste water system shall be used.
15. Severance. The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of any of the other proffers or the unaffected part of any such proffer.

The Planning Office has been advised of the action of the Board of Supervisors and will revise its records and place a copy of the accepted proffered conditions in the Conditional Zoning Index.

Sincerely,



for Virgil R. Hazelett, P.E.,  
County Manager

cc: Director, Real Estate Assessment  
Conditional Zoning Index  
Mr. L. L. Brooking